



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2660

Introduced 2/21/2013, by Rep. William Davis - Anthony DeLuca

SYNOPSIS AS INTRODUCED:

105 ILCS 5/27A-9

Amends the Charter Schools Law. With respect to charters approved by the State Charter School Commission, requires the State Board of Education to annually withhold from funds otherwise due the school district an amount equal to the district's per capita student tuition, multiplied by the number of students residing in the district enrolled in the charter school, multiplied by that percentage of the district's revenues from the last fiscal year received from the State (instead of requiring the State Board to withhold from funds otherwise due the district the funds authorized by the Law to be paid to the charter school and pay such amounts to the charter school). Requires the State Board to provide from State funds and pay to the charter school an amount equal to the district's per capita student tuition, multiplied by the number of students residing in the district enrolled in the charter school, less the amount withheld from the district. Effective immediately.

LRB098 07820 NHT 37902 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 27A-9 as follows:

6 (105 ILCS 5/27A-9)

7 Sec. 27A-9. Term of charter; renewal.

8 (a) A charter may be granted for a period not less than 5
9 and not more than 10 school years. A charter may be renewed in
10 incremental periods not to exceed 5 school years.

11 (b) A charter school renewal proposal submitted to the
12 local school board or the Commission, as the chartering entity,
13 shall contain:

14 (1) A report on the progress of the charter school in
15 achieving the goals, objectives, pupil performance
16 standards, content standards, and other terms of the
17 initial approved charter proposal; and

18 (2) A financial statement that discloses the costs of
19 administration, instruction, and other spending categories
20 for the charter school that is understandable to the
21 general public and that will allow comparison of those
22 costs to other schools or other comparable organizations,
23 in a format required by the State Board.

1 (c) A charter may be revoked or not renewed if the local
2 school board or the Commission, as the chartering entity,
3 clearly demonstrates that the charter school did any of the
4 following, or otherwise failed to comply with the requirements
5 of this law:

6 (1) Committed a material violation of any of the
7 conditions, standards, or procedures set forth in the
8 charter.

9 (2) Failed to meet or make reasonable progress toward
10 achievement of the content standards or pupil performance
11 standards identified in the charter.

12 (3) Failed to meet generally accepted standards of
13 fiscal management.

14 (4) Violated any provision of law from which the
15 charter school was not exempted.

16 In the case of revocation, the local school board or the
17 Commission, as the chartering entity, shall notify the charter
18 school in writing of the reason why the charter is subject to
19 revocation. The charter school shall submit a written plan to
20 the local school board or the Commission, whichever is
21 applicable, to rectify the problem. The plan shall include a
22 timeline for implementation, which shall not exceed 2 years or
23 the date of the charter's expiration, whichever is earlier. If
24 the local school board or the Commission, as the chartering
25 entity, finds that the charter school has failed to implement
26 the plan of remediation and adhere to the timeline, then the

1 chartering entity shall revoke the charter. Except in
2 situations of an emergency where the health, safety, or
3 education of the charter school's students is at risk, the
4 revocation shall take place at the end of a school year.
5 Nothing in this amendatory Act of the 96th General Assembly
6 shall be construed to prohibit an implementation timetable that
7 is less than 2 years in duration.

8 (d) (Blank).

9 (e) Notice of a local school board's decision to deny,
10 revoke or not to renew a charter shall be provided to the
11 Commission and the State Board. The Commission may reverse a
12 local board's decision if the Commission finds that the charter
13 school or charter school proposal (i) is in compliance with
14 this Article, and (ii) is in the best interests of the students
15 it is designed to serve. The State Board may condition the
16 granting of an appeal on the acceptance by the charter school
17 of funding in an amount less than that requested in the
18 proposal submitted to the local school board. Final decisions
19 of the Commission shall be subject to judicial review under the
20 Administrative Review Law.

21 (f) Notwithstanding other provisions of this Article, if
22 the Commission on appeal reverses a local board's decision or
23 if a charter school is approved by referendum, the Commission
24 shall act as the authorized chartering entity for the charter
25 school. The Commission shall approve the charter and shall
26 perform all functions under this Article otherwise performed by

1 the local school board. The State Board shall determine whether
2 the charter proposal approved by the Commission is consistent
3 with the provisions of this Article and, if the approved
4 proposal complies, certify the proposal pursuant to this
5 Article. The State Board shall report the aggregate number of
6 charter school pupils resident in a school district to that
7 district and shall notify the district of the amount of funding
8 to be paid by the Commission to the charter school enrolling
9 such students. The Commission shall require the charter school
10 to maintain accurate records of daily attendance that shall be
11 deemed sufficient to file claims under Section 18-8.05
12 notwithstanding any other requirements of that Section
13 regarding hours of instruction and teacher certification. The
14 State Board shall annually withhold from funds otherwise due
15 the district an amount equal to the school district's per
16 capita student tuition, multiplied by the number of students
17 residing in the district enrolled in the charter school,
18 multiplied by that percentage of the district's revenues from
19 the last fiscal year received from the State ~~the funds~~
20 ~~authorized by this Article to be paid to the charter school~~ and
21 shall pay such amounts to the charter school. In addition, the
22 State Board shall provide from State funds and pay to the
23 charter school an amount equal to the school district's per
24 capita student tuition, multiplied by the number of students
25 residing in the district enrolled in the charter school, less
26 the amount withheld from the district pursuant to this

1 subsection (f).

2 (g) For charter schools authorized by the Commission, the
3 Commission shall quarterly certify to the State Board the
4 student enrollment for each of its charter schools.

5 (h) For charter schools authorized by the Commission, the
6 State Board shall pay directly to a charter school any federal
7 or State aid attributable to a student with a disability
8 attending the school.

9 (Source: P.A. 96-105, eff. 7-30-09; 97-152, eff. 7-20-11.)

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.